

UNITED STATES COURT
FOR THE
DISTRICT OF MASSACHUSETTS

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U.S. DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ZAKARY BUSH, ET. AL,
PLAINTIFFS

VS

KATHLEEN DENNEHY, ET. AL,
DEFENDANTS

CIVIL ACTION

NO. 05-11230-JLT

DECLARATION OF ZAKARYA BUSH
IN SUPPORT OF PLAINTIFFS MOTION
FOR T.R.O AND PRELIMINARY INJUNCTION

I, ZAKARYA BUSH, HEREBY DECLARE THAT,

- ① THE DEFENDANTS, ON OR ABOUT 11/26/04 CONFISCATED ALL PENS (REGULAR) FROM 10 BLOCK AND D.D.U PRISONERS, DUE TO AN "ISOLATED" INCIDENT UN-RELATED TO ANY OF THE NAMED PLAINTIFFS AND RE-ISSUED ALL SEGREGATION PRISONERS WITH "RUBBER PENS" CALLING THEM "SECURITY PENS."
- ② THE NEW "RUBBER PENS" ARE COMPLETELY INADEQUATE, AND ARE ONLY GOOD FOR TO SIGN ONES NAME. IT IS VERY DIFFICULT TO WRITE WITH AND INCAPABLE OF DRAFTING EXTENSIVE "LEGIBLE" PLEADINGS.

- ③ IN ORDER FOR ME TO DRAFT THIS DECLARATION, I HAD TO SERIOUSLY ALTER THE PEN, RENDERING IT CONTRABAND TO GET IT TO WRITE SOMEWHAT ~~DE~~EFFECTIVELY.
- ④ AND THE DEFENDANT'S CANNOT PLEAD "SECURITY" BECAUSE THESE "RUBBER PENS" CAN BE USED EFFECTIVELY AS A WEAPON JUST AS A "PROPER PEN".
- ⑤ WHEN I FIRST ENTERED D.D.U. THE SUPERINTENDANT HAD A ~~PRO~~ POLICY THAT ALL ATTORNEY PHONE CALLS MUST BE EARNED. THIS STILL POLICY.
- ⑥ I AM NOT ALLOWED TO CALL MY ATTORNEY UNLESS I HAVE AN EARNED "PHONE SLIP," WHICH IS ONLY A (MAXIMUM) OF 4 A MONTH WHICH ALSO MUST BE UTILIZED TO MAKE PERSON CALLS.
- ⑦ I AM NOT ALLOWED TO CALL MY ATTORNEY ON CERTAIN DAYS OR THE TIMES NEEDED TO CATCH ~~HIM~~ AT THE OFFICE.
- ⑧ I AM ONLY ALLOWED TO CALL MY ATTORNEY DURING DAYS AND TIMES MANDATED BY THE SUPERINTENDANT, WHEN "EARNED" PHONE CALLS ARE ALLOWED TO BE EXERCISED.
- ⑨ IT IS NEXT TO IMPOSSIBLE FOR ME TO CONTACT MY LAWYER DURING THE EARLY MORNING HOURS, WHICH IS THE ONLY TIME TO REACH ~~HER~~ ^{HIM} ~~AT~~ HIS OFFICE.

- ⑩ IN ORDER TO MAKE AN ATTORNEY CALL I AM REQUIRED TO WRITE A LETTER TO THE SUPERINTENDANT'S OFFICE AND REQUEST PERMISSION TO MAKE SUCH A CALL. THIS CAN TAKE MORE THAN A WEEK TO RECEIVE AN ANSWER, IF ANY IS RECEIVED AT ALL.
- ⑪ IF THIS REQUEST IS APPROVED I AM SUBJECTED TO WAIT FOR THE PHONE TO BE BROUGHT TO MY CELL AT THE OFFICER'S LEISURE WHENEVER HE CHOOSES TO DO SO. IF THE ATTORNEY IS NOT IN THE OFFICE AT THE TIME THIS CALL IS PLACED AND CANNOT GET THRU, I HAVE TO REPEAT THIS WHOLE PROCESS OVER AGAIN TO TRY ANOTHER TIME, WHICH CAN TAKE ANOTHER WEEK TO BE PROCESSED AND I AM SUBJECTED TO THE SAME HANDLING OF THE CALL.
- ⑫ FOR THE ABOVE STATE REASONS, THIS COURT SHOULD GRANT MY MOTION FOR T.R.O AND PRELIMINARY INJUNCTION.

SIGNED UNDER THE PAINS AND
PENALTIES OF PERJURY.

DATE 7/3/05

Zakarya Bush
ZAKARYA BUSH
P.O. Box 100
S. WALPOLE, MA 02071